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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHIGE TAKIGUCHI, et. al,
Individually and On Behalf of All
Others Similarity Situated,

Plaintiffs,

v.

MRI INTERNATIONAL, INC.,
EDWIN J. FUJINAGA, JUNZO
SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING
ESCROW, and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK

**STIPULATION AND
ORDER RE PAYMENT OF
ATTORNEYS FEES AND COSTS
INCURRED BY SUZUKI
ENTERPRISES, INC. PROFIT
SHARING PLAN DURING MAY
2018**

1 WHEREAS Defendant Suzuki Enterprises, Inc. Profit Sharing Plan (the
2 “Plan”) and Plaintiffs are collectively referred to herein as the “Parties”;

3 WHEREAS on December 2, 2016, the Court issued its order [550] (“Order
4 re Fees”) approving the Stipulation re Payment of Attorneys’ Fees [549]
5 (“Stipulation re Fees”), providing a procedure for payment of legal fees and costs
6 from Plan funds that are presently subject to the preliminary injunction [183]
7 issued by this Court;

8 WHEREAS the Plan incurred legal fees and costs in May 2018 in the
9 amount of \$3,511.00, in connection with: terminating the Plan, and
10 communications with multiple counsel, Plan fiduciaries and the Court regarding
11 settlement issues;

12 WHEREAS such fees and costs are payable as follows:

- 13 • \$2,261.00 payable to Foundation Law Group LLP, lead counsel for
14 the Plan; and
- 15 • \$1,250.00 payable to Brucker & Morra, APC, ERISA counsel;

16 WHEREAS the invoices for the Plan’s legal fees with specific descriptions
17 of the work accomplished are attached hereto as Exhibit “A”;

18 WHEREAS Foundation Law Group LLP and Brucker & Morra, APC have
19 agreed to that any legal work for June 2018 shall not exceed \$2,000.00 total;

20 WHEREAS the Parties have communicated a mutual desire to avoid the
21 necessity of a formal motion for attorneys’ fees through this Stipulation;

22 NOW, therefore, the Parties stipulate as follows:

- 23 1. \$2,261.00 of the funds held by LPL Financial for the benefit of the Plan
24 shall be unfrozen and released from the preliminary injunction [183] and
25 paid to Foundation Law Group LLP;
- 26 2. \$1,250.00 of the funds held by LPL Financial for the benefit of the Plan
27 shall be unfrozen and released from the preliminary injunction [183] and
28 paid to Brucker & Morra, APC;

- 1 3. Up to \$2,000.00 of the funds held by LPL Financial for the benefit of the
2 Plan shall be unfrozen and released from the preliminary injunction [183]
3 and paid to Foundation Law Group LLP and Brucker & Morra, APC for
4 legal services they will provide in June 2018;
- 5 4. The remaining funds held by LPL Financial for the benefit of the Plan
6 shall remain frozen and subject to the preliminary injunction [183]
7 pending a further Court order; and
- 8 5. Payment of attorneys' fees and expenses for the month of May and June
9 2018 shall be made from cash on hand that is held in the name of the
10 Plan.

11 DATED: June 5, 2018

12 **MANNING & KASS ELLROD**
13 **RAMIREZ, TRESTER LLP**

14 By: /s/ James E. Gibbons
Attorneys for Plaintiffs

15 DATED: June 5, 2018

16 **LAW OFFICES OF ROBERT W.**
17 **COHEN, A.P.C.**

18 By: /s/ Robert W. Cohen
19 *Attorneys for Plaintiffs*

DATED: June 5, 2018

ENENSTEIN PHAM & GLASS

By: /s/ Robert A. Rabbat
Attorneys for Suzuki Enterprises, Inc.,
Profit Sharing Plan

DATED: June 5, 2018

FOUNDATION LAW GROUP LLP

By: /s/ Gregg D. Zucker
Attorneys for Suzuki Enterprises,
Inc., Profit Sharing Plan

22 **ORDER**

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

24
25 DATED this 7th day of June, 2018.

26
27 

28 United State District Court Judge